

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ROBBIE HARRIS and TONIA KHAN,

Plaintiffs,

vs.

AMALGAMATED TRANSIT UNION

LOCAL 1637, et al.,

Defendants.

Case No.: 2:19-cv-01537-GMN-EJY

ORDER

Pending before the Court is the Report and Recommendation of United States Magistrate Judge Elayna J. Youchah, (ECF No. 60), which recommends granting Defendant MV Transportation Inc.'s ("Defendant's") Motion to Sever Plaintiffs' Claims, (ECF No. 47).

A party may file specific written objections to the findings and recommendations of a United States Magistrate Judge made pursuant to Local Rule IB 1-4. 28 U.S.C. § 636(b)(1)(B); D. Nev. R. IB 3-2. Upon the filing of such objections, the Court must make a de novo determination of those portions to which objections are made. *Id.* The Court may accept, reject, or modify, in whole or in part, the findings or recommendations made by the Magistrate Judge. 28 U.S.C. § 636(b)(1); D. Nev. IB 3-2(b). Where a party fails to object, however, the Court is not required to conduct "any review at all . . . of any issue that is not the subject of an objection." *Thomas v. Arn*, 474 U.S. 140, 149 (1985). Indeed, the Ninth Circuit has recognized that a district court is not required to review a magistrate judge's report and recommendation where no objections have been filed. *See, e.g., United States v. Reyna-Tapia*, 328 F.3d 1114, 1122 (9th Cir. 2003).

Here, no objections were filed, and the deadline to do so, August 17, 2021, has passed. (*See* Report and Recommendation, ECF No. 60).

Accordingly,

IT IS HEREBY ORDERED that the Report and Recommendation, (ECF No. 60), is **ACCEPTED AND ADOPTED in full**.

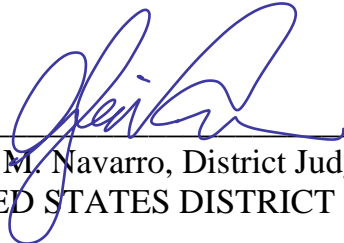
IT IS FURTHER ORDERED that Defendant's Motion to Sever Plaintiffs' Claims, (ECF No. 47), is **GRANTED**.

IT IS FURTHER ORDERED that the case number 19-cv-01537 proceed only as to the claims of Robbie Harris, the first named Plaintiff in the Complaint.

IT IS FURTHER ORDERED that the claims of Tonia Khan be severed from case number 19-cv-01537.

IT IS FURTHER ORDERED that the Clerk of Court shall be directed to assign a new case number for the claims of Tonia Khan, file a copy of the Amended Complaint, (ECF No. 29), and this Order in the new case, and assign that case to this Court. Unless the Court subsequently orders otherwise, it will not be necessary for Plaintiffs to refile or re-serve the Complaint. In subsequent filings, the caption should include only the Plaintiff in that particular case. All pending deadlines shall apply in both cases.

DATED this 18 day of August, 2021.



Gloria M. Navarro, District Judge
UNITED STATES DISTRICT COURT